



March 28, 2019

U.S. Environmental Protection Agency (EPA) Appropriations: FY2020 President’s Budget Request

Since FY2006, Congress has funded the U.S. Environmental Protection Agency (EPA) in the Interior, Environment, and Related Agencies appropriations bills. For FY2020 the President requested \$6.07 billion for EPA, \$2.78 billion (31%) less than the total \$8.85 billion FY2019 enacted appropriations for EPA (after rescissions) provided in Titles II and IV of Division E of the Consolidated Appropriations Act, FY2019 (P.L. 116-6), and \$123.4 million (2%) less than the FY2019 request of \$6.19 billion for EPA. (Note that prior year comparisons in the President’s FY2020 budget documents are based on estimated FY2019 “annualized” levels under the continuing resolution in place at the time the request was being finalized, not FY2019 enacted appropriations.) Trends in requested and enacted appropriations for EPA since FY2008 are shown in **Figure 1**.

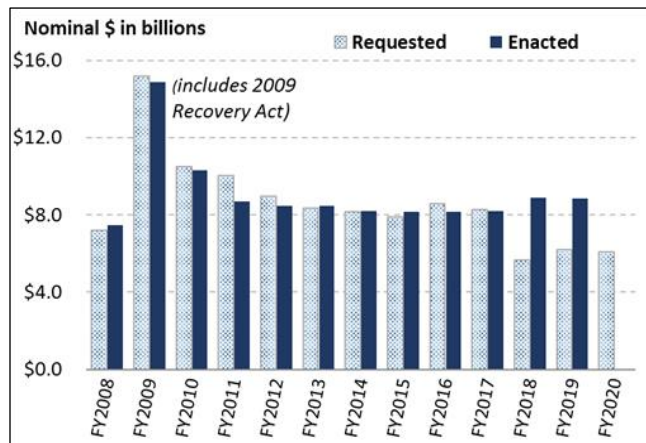
appropriations has expired if no Member raises a point of order or the rules are waived for consideration of a bill. Congress has typically done so to continue appropriations.

History of EPA Budget Authority

Figure 2 presents EPA discretionary “budget authority” since FY1976 in nominal dollars and adjusted for inflation. Budget authority is provided through annual appropriations and constitutes the amount of funding available to an agency for obligation in a fiscal year to carry out a specific purpose authorized in law. The trend in nominal dollars presented in **Figure 2** is based on a history of agency budget authority prepared by the White House Office of Management and Budget (OMB). Congress has funded EPA since the agency’s creation in 1970, but OMB histories do not include fiscal years prior to FY1976.

Figure 1. EPA Requested and Enacted Appropriations FY2008-FY2020

(\$ nominal not adjusted for inflation)



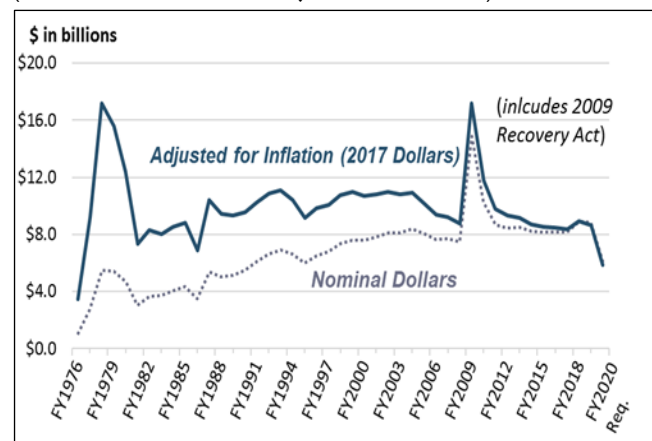
Source: CRS using information from the *Congressional Record*; House, Senate, and conference reports; and EPA’s FY2020 *Congressional Budget Justification*. Enacted amounts reflect rescissions and supplemental appropriations, including \$7.22 billion included for EPA in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). Funding is appropriated to EPA to support the agency’s primary responsibilities under several federal pollution control statutes in coordination with states. EPA also awards grants to assist delegated states and local governments to support implementation and compliance with federal requirements to control pollution.

Authorization of Appropriations

The statutory authorization of appropriations for many of the programs and activities administered by EPA has expired, but Congress has continued to fund them through the appropriations process. Authorization of appropriations is a procedural matter. Congress may appropriate funding for a program or activity for which the authorization of

Figure 2. EPA Discretionary Budget Authority FY1976-FY2020 (Request)

(\$ in billions nominal and adjusted for inflation)



Source: CRS based on the White House Office of Management and Budget (OMB), *Budget of the United States Government Fiscal Year 2020, Historical Tables*, Table 5.4; CRS calculated for inflation using OMB deflators presented in Table 10.1. FY2009 funding level reflects the supplemental appropriations included for EPA in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

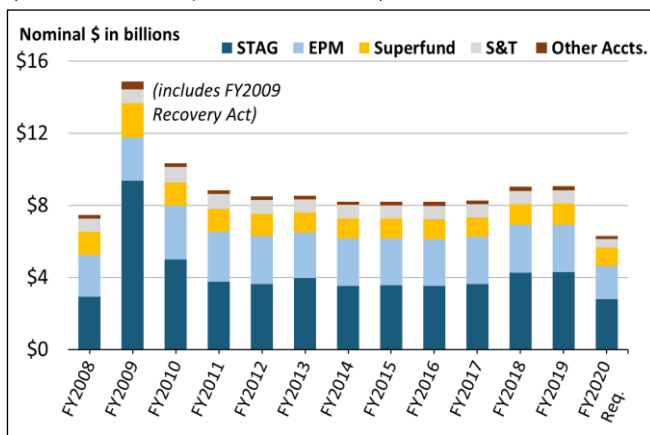
EPA Appropriations Accounts

Funding is annually appropriated to EPA among 10 accounts established by Congress over time: State and Tribal Assistance Grants (STAG), Environmental Programs and Management (EPM), Hazardous Substance Superfund (“Superfund”), Science and Technology (S&T), Leaking Underground Storage Tank Trust Fund Program, Buildings and Facilities (B&F), Office of Inspector General, Inland Oil Spill Program, Hazardous Waste Electronic Manifest System Fund, and Water Infrastructure Finance and Innovation Program.

As indicated in **Figure 3**, the proportional distribution of funding among these accounts has remained similar for more than a decade with the exception of FY2009. The STAG and EPM accounts have received the largest share of funding, followed by the Superfund and S&T accounts. The STAG account funds grants for water infrastructure, brownfields site assessment and remediation, diesel emissions reduction, targeted airsheds, and “categorical” grants to states and tribes for implementing pollution control. The EPM account funds additional grants and many cross-cutting agency activities. The Superfund account supports the environmental remediation of priority sites designated for federal attention. The S&T account funds research that supports agency regulatory decisions.

Figure 3. EPA Appropriations by Account FY2008-FY2020 (Request)

(\$ nominal not adjusted for inflation)



Source: Prepared by CRS using information from the *Congressional Record*; House, Senate, and conference committee reports; and EPA’s FY2020 *Congressional Budget Justification*. Enacted amounts include supplemental appropriations but not rescissions.

With the exception of the B&F account, the President’s FY2020 request proposed funding reductions below FY2019 enacted levels for all other EPA appropriations accounts, although funding for some program areas within the accounts would remain constant or increase. For example, the FY2020 request proposed \$50.0 million for a new “Healthy Schools Grant Program” to address environmental hazards in schools.

Funding and Policy Issues

The President’s proposed FY2020 funding reductions have garnered attention from Members of Congress; states; U.S. territories; tribes; and industry, health, and environmental stakeholder organizations. Proposed reductions and eliminations are distributed across EPA operational functions and activities as well as grants for states, tribes, and local governments. Similar to the FY2019 request, the President has again proposed to increase the responsibilities of states and their associated costs to carry out this delegated authority. The proposed increased responsibility is described in EPA’s *FY2020 Congressional Budget Justification* under its *Cooperative Federalism Goal*. The FY2019 consolidated appropriations did not adopt the President’s requested eliminations and many of the proposed FY2019 reductions.

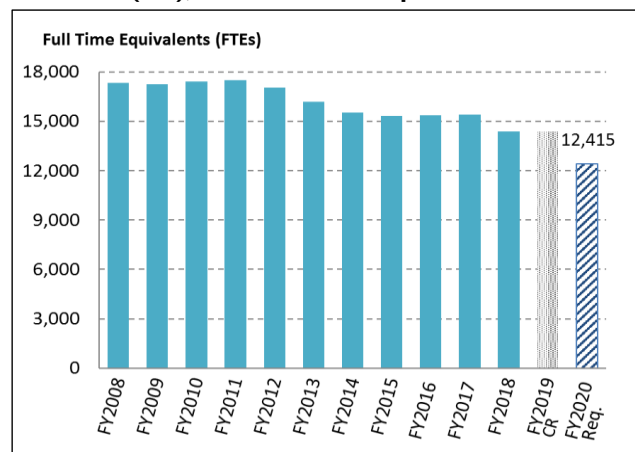
Compared to FY2019 and FY2018 enacted levels, the FY2020 request would reduce funding across many of the functions of EPA that have been the focus of congressional debate in recent fiscal years. These functions include federal financial assistance to states for clean water and drinking water infrastructure projects through capitalization grants for state revolving funds; categorical grants to support the implementation and enforcement of federal environmental statutes delegated to the states; funding for the agency’s implementation and research support for air pollution control requirements; EPA actions to address climate change and greenhouse gas emissions; funding for environmental remediation; and federal assistance for the Great Lakes Restoration Initiative, Chesapeake Bay program, and other geographic-specific programs.

Appropriated and requested funding for these various program areas are typically presented as line items below the EPA appropriations account level in EPA’s budget justifications as well as committee reports and explanatory statements accompanying annual appropriations bills.

EPA Staff Levels

The President’s FY2020 request proposed 12,415 full-time equivalents for EPA to administer federal environmental statutes in coordination with delegated states. Based on EPA-reported staffing levels, the request would be the lowest since 1985. Congress does not set EPA staffing levels in annual appropriations acts. EPA generally determines staffing levels based on the availability of annual appropriations enacted each fiscal year to fund the agency. The FY2020 request proposed a total of \$31.0 million for “workforce reshaping” in the EPM and S&T accounts. The FY2019 enacted appropriations did not fund a similar proposal. **Figure 4** presents “full-time equivalents” as reported by EPA for FY2008-FY2020.

Figure 4. EPA-Reported Full-Time Equivalent FY2008-FY2018 Enacted, FY2019 “annualized continuing resolution (CR),” and FY2020 Requested



Source: CRS using information from EPA’s FY2018 and FY2020 *Budget in Brief*.

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